

**TOWN OF NORTH EAST  
TOWN BOARD  
REGULAR MEETING  
JUNE 11, 2020**

**Councilpersons present:**

Supervisor Christopher Kennan  
Councilman Ralph Fedele  
Councilman George Kaye  
Councilman John Midwood  
Councilwoman Lana Morrison

**Councilpersons absent:**

*The June 11, 2020 meeting was held via Zoom web conference. Supervisor Kennan and Councilman Kaye were present at Town Hall. Councilmen Fedele and Midwood and Councilwoman Morrison were in attendance from other locations via the Zoom web conference.*

**Call to Order & Pledge of Allegiance:**

Supervisor Kennan called the meeting to order at 7:00 p.m. and followed with the Pledge of Allegiance.

**Roll Call:**

Supervisor Kennan asked Clerk Wheeler for a roll call of Town Board Members.

COUNCILMAN FEDELE:	PRESENT
COUNCILMAN KAYE:	HERE
SUPERVISOR KENNAN:	HERE
COUNCILMAN MIDWOOD:	HERE
COUNCILWOMAN MORRISON:	HERE

A quorum was present.

Supervisor Kennan added a presentation by John Penney who chairs the Complete Count Committee for Dutchess County to the agenda.

**Supervisor Comments:**

Supervisor Kennan mentioned the updated NYS guidelines for meetings and the acceptance to have the Town Board, Town Clerk, and 10 additional people for a meeting. Phase 3 is scheduled to occur in 12 days.

Supervisor Kennan reviewed the sanitizing and changes to Town Hall for safe handling of Town affairs and all who work and enter the building. He had a meeting with department heads to review safety protocols. He is in favor of having a window slot installed off of the front porch where documents can be passed back and forth as needed. He met with the Town's handyman to begin that project.

Supervisor Kennan is working on a mailer for all residents of the Town. He wants to provide a great deal of information about services to those residents without access to the Internet or Town Hall.

County Executive, Marc Molinaro, stated the senior picnics will be held by curbside or drive-through pickup. The Town is encouraged to let the local restaurants and delis know to give them an opportunity to bid on the food to be provided for the picnics. He also mentioned there will be fireworks around the County and viewing will be by drive-thru or drive-in.

At a previous meeting, Supervisor Kennan mentioned the replacement of a culvert on Smithfield Road by Cooper Road and Silver Mountain Road. The County has indicated this project will be pushed back to next year.

The Planning Board held its first meeting and public hearing on Zoom and another is scheduled during the month.

Supervisor Kennan received an update from the project engineer on the sand and salt building. An immense amount of dirt has been excavated and is being removed. The next phase is the sub-contractor installing the forms for the concrete. The project is on schedule to be completed in mid-September.

### **Department and Committee Reports:**

**Police** – No police report.

**Highway** – Superintendent Stevens provided the Town Board with a list of surplus equipment as of June 11, 2020. The surplus equipment is as follows:

2008 Scag 48” Tiger Cub Zero-Turn mower  
1999 14” Stihl 017 chainsaw  
2001 16” Stihl 036 chainsaw  
2001 20” Stihl 036 chainsaw

The auction results will be available for the Town Board to review at the July meeting.

### **RESOLUTION #1042020**

#### **Highway Equipment Declared Surplus and Authorization for Highway Superintendent to Advertise the Equipment for Sale**

**RESOLVED**, to declare the Scag Zero-Turn mower and three chainsaws surplus highway equipment and authorize the Highway Superintendent to advertise the equipment for sale on Auctions International.

Motion by Councilman Kaye and seconded by Councilman Fedele.

AYES - 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS - 0

The Resolution was adopted on June 11, 2020.

**Assessor** – Assessor Johnson reported Grievance Day was held via Zoom. There were two property owners who spoke by remote at the hearing and an additional 13 who mailed in applications and four who settled with the Assessor by stipulation prior to Grievance Day for a total 19 property owners filing a total of 25 complaints. The Board of Assessment Review is making its determinations and the secretary will prepare and send the replies to the complainants next week.

This year, a new law was passed stating property owners with property tax delinquencies greater than one year will not be eligible for the Basic STAR exemption or credit. The NYS Tax Department will instruct the Assessor to remove the exemption from those properties that they determine are no longer eligible because of a tax delinquency.

Property taxes will be considered delinquent when the taxes remain unpaid one year after the last date on which they could have been paid without interest.

Enhanced STAR exemptions and credits are not included in the new law and seniors will continue to receive STAR benefits even if the property taxes are delinquent.

**Planning, Zoning & Building Dept.** – Reports were submitted to the Town Board

**Town Clerk** – Reports were submitted to the Town Board.

**Committee Activity** – Mary Lynn Kalogeras from the Conservation Advisory Committee provided an update on the pollinator garden. She wants the Town Board to consider a donation of a statue or something else for the garden.

**Approval of Audit Reports for Tax Receiver, Town Clerk, and Justice Accounts:**

**RESOLUTION #1052020**

**Approval of Audit Reports for Tax Receiver, Town Clerk, and Justice Accounts**

**RESOLVED**, to accept the 2019 audit reports for the Justice Court, Town Clerk, and Tax Receiver of the Town of North East by Sickler, Torchia, Allen & Churchill, CPA's, PC.

Motion by Councilman Midwood and seconded by Councilwoman Morrison.

AYES - 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS - 0

The Resolution was adopted on June 11, 2020.

John Penney, Chairman of the Complete Count Committee for Dutchess County, provided an update on the 2020 Census. The National Self-Response Rate and Field Operator Rate will make up the response totals. The National Self-Response Rate is 60%. The State Self-Response Rate is at 56%. The County Self-Response Rate is at 59.6%. The numbers for the Town of North East is one of the lowest in Dutchess County at a Town Self-Response Rate of 38.7%, but he indicated there are many Town residents who do not have the packets due to a post office box address. The Town of Washington is in the same situation. Once the field operators drop off packets to the physical addresses of those residents, he expects the number to rise. The census was supposed to end in July but will continue to October.

**Renewal of Benwood Knolls Trailer Park Permit:**

**RESOLUTION #1062020**

**Renewal of Benwood Knolls Trailer Park Permit**

**RESOLVED**, to approve Benwood Knolls Mobile Home Park Permit.

Motion by Councilwoman Morrison and seconded by Councilman Midwood.

AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**Resolution Appointing a Zoning Review Committee:**

Amended  
July 9, 2020

**RESOLUTION #1072020**

**TOWN BOARD OF THE TOWN OF NORTH EAST**

**RESOLUTION CREATING A ZONING REVIEW COMMITTEE**

**WHEREAS**, the Town's Zoning Law codified as Chapter 180 of the Town Code, was originally adopted by the Town Board in 1997, and has been amended, from time to time since its adoption; and

**WHEREAS**, the Town's Subdivision Law, embodied in Chapter 150 of the Town Code, was adopted in 1973 and has been amended, from time to time, since its adoption; and

**WHEREAS**, the Town Board, on or about November 23, 2019, adopted an amended Joint Comprehensive Plan in accordance with the requirements of §272-a of the Town Law with the Village of Millerton; and

**WHEREAS**, the Planning Board and the Zoning Board of Appeals, as well as the Attorney to the Town, have advised the Town Board that the Town Zoning and Subdivision Law are, in many respects, outdated and are in need of revision to comply with the requirements of the New York State Town Law; and

**WHEREAS**, the 2019 Comprehensive Plan contains recommendations for the amendments of the Town's Zoning Law and Subdivision Law, as well as other Town land use regulations; and

**WHEREAS**, §272-a(11) provides, in relevant part, that all Town land use regulations must be in accordance with a Comprehensive Plan adopted by the Town Board pursuant to that section of the Town Law; and

**WHEREAS**, the Town Board is desirous of creating a Zoning Review Committee to review the Zoning and Subdivision Laws for the Town of North East and other land use laws and regulations of the Town to make recommendations for amendments and/or revisions to the same; and

**WHEREAS**, the Town Board has determined that the creation of this Committee is a Type II action under SEQRA, which does not require environmental review.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board hereby establishes in and for the Town of North East a Zoning Review Committee to act in an advisory capacity to the Town Board to, among other things, review the land use regulations of the Town of North East including, but not limited to, the Zoning Law and Subdivision Law; and be it further

**RESOLVED**, that the Zoning Review Committee shall consist of no more than nine members, all of whom shall be residents of the Town of North East or Village of Millerton, with no less than four members being residents of the Town of North East; and be it further

**RESOLVED**, that at least one member shall be a member of the Planning Board and one member of the Zoning Board of Appeals. Members of the Committee shall be residents of, or property owners within, the Town of North East. The Town Board, in selecting members of the Committee, shall try to reflect the different constituencies within the Town of North East and Village of Millerton; and be it further

**RESOLVED**, that three members of the Committee shall be appointed for a term of three years; two members for a term of two years; and three members for a term of one year with no limitation upon the re-appointment of such members as their terms expire; and be it further

**RESOLVED**, that the Town Board shall designate one of the members of the Review Committee to act as Chair thereof and another member to act Deputy Chair; and be it further

**RESOLVED**, that the meetings of the Review Committee shall be at such time and place scheduled by the Chairperson. However, the meetings shall be subject to the provisions of the Open Meetings Law; and be it further

**RESOLVED**, that the Town Board shall select a professional planner with experience in preparation and revisions of land use regulations and an attorney with similar professional experience to assist the Committee in its work and shall provide a reasonable budget each year for the cost of the operation of the Committee; and be it further

**RESOLVED**, that the Committee shall submit a report to the Town Board of its activities on a quarterly basis each year but may, in its discretion, provide reports and recommendations to the Town Board on a more frequent basis; and be it further

**RESOLVED**, that the members of the Committee shall serve at the pleasure of the Town Board and may be removed or replaced for misconduct, including, but not limited to, repeated failure to attend scheduled meetings of the Committee.

This motion was offered by Town Board member Ralph Fedele and was seconded by Town Board member Lana Morrison.

MOTION: Councilman Fedele  
SECOND: Councilwoman Morrison

SUPERVISOR KENNAN	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN KAYE	Voted AYE
COUNCILMAN MIDWOOD	Voted AYE
COUNCILWOMAN MORRISON	Voted AYE

The Resolution was carried by a 5-0 vote of the Town Board members on June 11, 2020.

**RESOLUTION #1082020**  
**TOWN BOARD OF THE TOWN OF NORTH EAST**

**RESOLUTION APPOINTING MEMBERS OF THE ZONING REVIEW COMMITTEE**

**WHEREAS**, the Town Board has, by Resolution dated June 11, 2020, created a Zoning Review Committee consisting of no more than nine members; and

**WHEREAS**, the Town Board has solicited interest in qualified persons desiring to serve on said Committee.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board hereby appoints the following members to the Zoning Review Committee for the following terms:

Edith Greenwood, as Chairperson	Term 3 years
Dale Culver	Term 2 years
Ed Downey	Term 1 year
George Kaye	Term 3 years
Bill Kish	Term 2 years
Julie Schroeder	Term 1 year
Dave Sherman	Term 3 years
Betsy Trotta	Term 2 years

This motion was offered by Town Board member Lana Morrison and was seconded by Town Board member John Midwood.

MOTION: Councilwoman Morrison  
SECOND: Councilman Midwood

SUPERVISOR KENNAN	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN KAYE	Voted ABSTAIN
COUNCILMAN MIDWOOD	Voted AYE
COUNCILWOMAN MORRISON	Voted AYE

The Resolution was carried by a 4-0-1 vote of the Town Board members on June 11, 2020.

**Approval of Workers' Comprehensive Insurance Policy for July 2, 2020 to July 1, 2021:**

Supervisor Kennan stated the Town has two bids for the workers comprehensive insurance policy. CompAlliance quoted \$27,182 and the New York State Insurance Fund for \$33,360 with a projected dividend of \$10,224 and a projected net cost of \$27,023. Supervisor Kennan reviewed the bids with the Town's insurance agent, Paul Zerbato. If the New York State Insurance Fund was selected, the Town would have to wait 18 months to see the dividend. Supervisor Kennan did not believe it to be prudent to wait on a projected dividend extended to that distant date. He recommended the Town Board accept the bid from the CompAlliance.

**RESOLUTION #1092020**

**Approval of Workers' Comprehensive Insurance Policy for July 2, 2020 to July 1, 2021**

**RESOLVED**, to accept the bid from CompAlliance in the amount of \$27,182.

Motion by Councilman Fedele and seconded by Councilman Kaye.

AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**Approval of Minutes of Town Board Meeting of July 12, 2018:**

*Councilman Midwood lost connection to the meeting.*

**RESOLUTION #1102020**

**Approval of July 12, 2018 Minutes**

**RESOLVED**, to approve the minutes of July 12, 2018.

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**Approval of Minutes of Town Board Meeting of May 14, 2020:**

**RESOLUTION #1112020**

**Approval of May 14, 2020 Minutes**

**RESOLVED**, to approve the minutes of May 14, 2020.

Motion by Councilman Fedele and seconded by Councilwoman Morrison.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**Supervisor's Report:  
Budget Adjustment –**

**RESOLUTION #1122020  
Approval of Budget Adjustment #3 of 2020**

**RESOLVED**, to approve Budget Adjustment #3 of 2020 as follows:

In A Fund – General Town-wide, there is an expense increase of \$500 minus an expense decrease of \$500 with a net of \$0.00.

Motion by Councilman Fedele and seconded by Councilman Kaye.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**Monthly Bills Abstract/Special Abstracts –**

**RESOLUTION #1132020  
Approval of Special Abstract Dated May 27, 2020**

**RESOLVED**, to approve Special Abstract, dated May 27, 2020, totaling \$379.69, broken down as follows:

A Fund -       \$379.69

Motion by Councilwoman Morrison and seconded by Councilman Kaye.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**RESOLUTION #1142020  
Approval of Special Abstract Dated June 1, 2020**

**RESOLVED**, to approve Special Abstract, dated June 1, 2020, totaling \$29,630, broken down as follows:

Water District SW1 -     \$29,630

Motion by Councilman Fedele and seconded by Councilwoman Morrison.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

**RESOLUTION #1152020  
Approval of Abstract Dated June 11, 2020**

**RESOLVED**, to approve Abstract, dated June 11, 2020, totaling \$133,367.00, broken down as follows:

General A Fund -       \$38,257.02

General B Fund -	\$221.18
Highway Fund DB -	\$22,492.68
Capital Projects H1	\$72,291.98
Payroll T&A	\$104.14

Motion by Councilman Kaye and seconded by Councilman Fedele.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)  
NAYS – 0

The Resolution was adopted on June 11, 2020.

### **Voucher Committee for July 2020 –**

The Voucher Committee for July is Ralph Fedele and George Kaye.

### **Public Comment:**

Supervisor Kennan mentioned the public comment agenda item of last month's meeting was inadvertently skipped and he offered his apologies to those wishing to speak.

Meg Bertrand-Winkler inquired about committees, like an Economic Vitality Committee, to work in conjunction with the Zoning Review Committee to work in a visionary manner and do outreach to businesses. Supervisor Kennan mentioned there are committees outlined in the Comprehensive Plan and will be a number of other committees formed.

Chris Regan stated the Town should have a roll in the oversight of the police services.

Joan Binzen is interested in knowing about the kinds of police training offered, how recruitment is conducted, and the jurisdictions of the different agencies.

Mary Lynn Kalogeras stated she wants to hear from the Town Board on their committee work. She would like a resolution passed indicating the committees will report on a regular basis. Supervisor Kennan mentioned a resolution is not needed for committees to make a report.

Bill Kish added to Mary Lynn and Chris' comments. He understands the need for the Town Board to conduct business at the meetings. There are residents who come to the meeting to learn about the Town. There should be something provided for what is occurring behind the scenes. He inquired about the Town's oversight on the police department. The police department needs to be responsive to its community. The Village has supervisory capacity over the police and we only receive arrest reports with year-to-year comparisons. The Town is paying for policing and should have a citizen advisory board with some say in the policies of our policy departments and reviews incidents to ensure are following the policy we lay out and it is very opaque at this time.

Supervisor Kennan stated he wants the community to feel a sense of trust. He has had conversations with the Mayor to learn about the training of police officers. The reports are more detailed than what is mentioned at the meetings. He will share all of the comments with the Mayor during upcoming discussions.

Andrew Stayman said he was told the police were waiting at Village Hall waiting for an incident at the rally instead of being a part of the community and it was a lost opportunity for the police department to interact with the group and community.

Joshua Schultz, Village of Millerton Trustee, stated there will be concerns and background information addressed at the next Village Board meeting next Monday at 6:00 p.m. on Facebook Live. Please be there with questions and comments. He will relay the comments expressed at this meeting with the Mayor. Details about the upcoming Village Board meeting can be found on the Village's website.



**Adjournment:**

**RESOLUTION #1162020  
Adjournment of June 11, 2020 Meeting**

**RESOLVED**, to adjourn the meeting at 8:35 p.m.

Motion by Councilwoman Morrison and seconded by Councilman Fedele.

AYES – 4 (Kennan, Fedele, Kaye, Morrison)

NAYS – 0

The Resolution was adopted on June 11, 2020.

Respectfully submitted,

/s/

Gail J. Wheeler  
Town Clerk

Approved: 07/09/2020